

PATENT
Attorney Docket No. 211843-00035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/825,339
Filing Date: April 15, 2004
Inventor(s): Thomas Neil Horsky
Group Art Unit: 2881
Examiner Name: Jack I Berman
Customer No.: 27160
Title: ION IMPLANTATION ION SOURCE,
SYSTEM AND METHOD

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OFFICE OF PETITIONS

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. 1.78(a)(3) FOR UNINTENTIONALLY DELAYED CLAIM
OF PRIORITY AND BENEFIT OF PRIOR-FILED APPLICATIONS**

Sir:

Applicant hereby petitions the Commissioner under 37 C.F.R. § 1.78(a)(3) to correct the above-identified application to allow the applicant to claim the priorities and benefits of earlier filing dates and cross-references to other applications. Applicant presently recognizes that the due date for filing this claim for priority to the US Application, 10/170,512, was August 15, 2004, which is the later of four months from the actual filing date of the present application or sixteen months from the filing date of the prior-filed application. Accordingly, Applicant

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hereby asserts that the entire delay between the August 15, 2004 due date and today was unintentional. A separate amendment is attached to correct the "Cross Reference to Related Applications" in the specification.

Please charge Deposit Account No. 50-1214 in the amount of \$1370.00 for payment of the petition fee as required under 37 C.F.R. 1.17(t). Any additional fee required, and any overpayments should also be charged to Deposit Account No. 50-1214.

It is believed that all three requirements of a Petition under 37 C.F.R. 1.78(a)(3) have been satisfied above. Accordingly, Applicant respectfully requests that this Petition be granted by the Commissioner.

Respectfully submitted,

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